



Atty. Dkt. No. 061300-0242

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: O'Connell, et al  
Title: ENVIRONMENTAL SHIELD  
FOR A TRUCK MOUNTED  
CONCRETE MIXER  
Appl. No.: 09/954,677  
Filing Date: 09/15/2001  
Examiner: Cooley, Charles E.  
Art Unit: 1723

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

EV 505574781

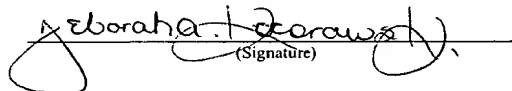
(Express Mail Label Number)

November 15, 2004

(Date of Deposit)

Deborah A. Kocorowski

(Printed Name)

  
(Signature)

Mail Stop **AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND REPLY TRANSMITTAL**

Sir:

Transmitted herewith is an Amendment and Reply in the above-identified application.

- ☒ [ X ] Amendment and Reply Under 37 CFR 1.111 (15 pages).
- ☒ [ X ] Substitute Specification No. 1 (9 pages).
- ☒ [ X ] Substitute Specification No. 2 (10 pages).
- ☒ [ X ] Replacement Sheets (4 sheets).
- ☒ [ X ] Annotated Sheets Showing Changes (4 sheets).

☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	17	-	20	=	0	x	\$18.00	=	\$0.00
Independent Claims:	4	-	3	=	1	x	\$88.00	=	\$88.00
First presentation of any Multiple Dependent Claims:								+	\$300.00 = \$0.00
CLAIMS FEE TOTAL								=	\$88.00

☐ Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$430.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$980.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,530.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,080.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$88.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$88.00

☒ A check in the amount of \$88.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

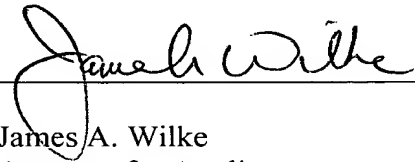
Respectfully submitted,

Date

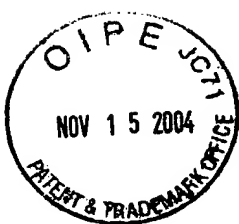
11-15-04

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5776  
Facsimile: (414) 297-4900

By

A handwritten signature in black ink, appearing to read "James A. Wilke", written over a horizontal line.

James A. Wilke  
Attorney for Applicant  
Registration No. 34,279



11-16-04

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Deborah A. Kocorowski

(Printed Name)

*Deborah A. Kocorowski*  
(Signature)

Mail Stop **AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Sir:

This communication is responsive to the Non-Final Office Action dated August 19, 2004, concerning the above-referenced patent application.

**Amendments to the Specification** begin on page 2 of this document.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this document.

**Amendments to the Drawings** begin on page 10 of this document, and include an attached replacement drawing sheet and an annotated sheet showing changes.

**Remarks/Arguments** begin on page 11 of this document.

Please amend the application as follows:

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